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EXAMINER

BELIVEAU, SCOTT E

ART UNIT	PAPER NUMBER
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2623

DATE MAILED: 11/16/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/748,905

Applicant(s)

STEADING ET AL.

Examiner

Scott Beliveau

Art Unit

2623

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 27 September 2006.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413)
Paper No(s)/Mail Date. _____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

Art Unit: 2623

DETAILED ACTION

Miscellaneous

1. Please note that the examiner of record for this application has changed.
2. Please note that the art unit of record for this application has changed to 2623.

Continued Examination Under 37 CFR 1.114

3. A request for continued examination under 37 CFR 1.114 was filed in this application after appeal to the Board of Patent Appeals and Interferences, but prior to a decision on the appeal. Since this application is eligible for continued examination under 37 CFR 1.114 and the fee set forth in 37 CFR 1.17(e) has been timely paid, the appeal has been withdrawn pursuant to 37 CFR 1.114 and prosecution in this application has been reopened pursuant to 37 CFR 1.114. Applicant's submission filed on 27 September 2006 has been entered.

Response to Arguments

4. Applicant's arguments with respect to claims 1-20 have been considered but are moot in view of the new ground(s) of rejection.

Claim Objections

5. Claim 10 is objected to because the first recitation of "the processor" lacks antecedence. The examiner presumes that the first recitation should read "a processor". Appropriate correction is required.

6. Claim 15 is objected to because the recitation of “the first mode” and “the second mode” lacks antecedence. The examiner presumes the claim should references these ‘modes’ as “a first mode” and “a second mode” respectively. Appropriate correction is required.

Claim Rejections - 35 USC § 103

7. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:
- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.
8. This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).
9. Claims 1-4, 7-11, and 14-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (US Pat No. 6,016,141), in view of the ‘NFL.COM: 1997 regular season to get August start’, and in further view of Swix (WO 00/14954 A2).

Regarding claim 1, the Knudson et al. reference discloses a “method for allowing programming providers” [26] to “offer subscribers” [32] “programming events” (Col 2, Lie

66 – Col 3, Line 21). The method comprises a programming provider “associating events” such as those corresponding to a ‘season ticket’ or other related events “to create packages” (Figures 3-5; Col 1, Lines 28-41; Col 4, Line 66 – Col 5, Line 51; Col 6, Lines 21-34). The ‘programming provider’ [26] subsequently “communicates an electronic program guide, the electronic programming guide having a programming grid . . . simultaneously listing a start time and a stop time of each event associated with each package” (Figure 2; Col 3, Lines 9-16).

With respect to the particular composition of the ‘packages’, the reference teaches that the packages may comprise a ‘season ticket’ package that includes all sports programs of a specific league or team for the duration of the sports season (Col 6, Lines 22-34). In creating such a package, the reference is silent with respect to the scheduling of sporting of events that are well known in the art to “span multiple channels over non-contiguous time slots”. For example, the “NFL.COM: 1997 regular season to get August start” publication provides evidence of fact that a ‘season ticket’ for a specific sports team (ex. New England Patriots) would comprise “events spanning multiple channels over non-contiguous time slots” (ex. NBC – Sunday September 7th at 1 PM, TNT – Sunday September 14 at 8 PM, ABC – Monday October 27 at 9 PM, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to “associate events spanning multiple channels over non-contiguous time slots” such as events corresponding to a particular NFL sporting team for the purpose of creating packages of televised programming for one of the most popular sporting leagues in America.

The Knudson et al. reference is further silent with respect to the particular usage of different ‘modes’ as claimed. In an analogous art pertaining to the field of interactive programming, the Swix et al. reference discloses an “electronic programming guide . . . listing a wrapper associated with [each specialty topic] and each [specialty topic’s] associated events, the wrapper surrounding all the associated events for each [specialty topic], the programming grid also simultaneously listing a start time and a stop time of each event associated with each [specialty topic]” (Figure 5). The “electronic programming guide has a first mode in which inputs to a navigator” or user interface to “scroll from one wrapper to another wrapper” (Page 8, Lines 4-7). The ‘first mode’ corresponds to the particular display of both matching and non-matching entries. Therefore, responsive to the user choosing a different ‘specialty topic’, the user “scrolls from one wrapper” associated with the first ‘specialty topic’ to “another wrapper” corresponding to the newly selected ‘specialty topic’ (Page 15, Lines 18-24). The “electronic programming guide” further comprises a “second mode in which inputs to the navigator” scroll from one event to another event within the same wrapper” (Page 15, Line 27 – Page 16, Line 6). In association with the operation of the two modes, the system “recognizes . . . non-contiguous events; and in response to the non-contiguous events, prompts to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying channels and times associated with the events in a ‘specialty topic’ (Page 9, Lines 1-4; Page 15, Lines 18-27; Page 16, Lines 27-30). Swix et al. suggests that the particular ‘specialty topic’ relates to a logical grouping of a particular type of programming (Page 2, Lines 14-17). A ‘package’ as set forth in Knudson et al. defines logical groupings of related programs. Accordingly, it would have been obvious to

one having ordinary skill in the art at the time the invention was made to modify the Knudson et al. 'electronic programming guide' to "hav[e] a programming grid simultaneously listing a wrapper associated with each package and each package's associated events, the wrapper surrounding all the associated events for each package [and] the programming grid also simultaneously listing a start time and a stop time of each event associated with each package", to comprise a "first mode in which inputs to a navigator scroll from one wrapper to another wrapper, and . . . a second mode in which inputs to the navigator scroll from one event to another event within the same wrapper", to "recognize[e] the non-contiguous events; and in response to the non-contiguous events, prompting to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying channels and times associated with the events in a package" for the purpose of informing the viewer as to the availability of programs of a particular type (Swix et al.: Page 3, Lines 1-3) in a manner in which the viewer can choose to be provided with more focused information (Swix et al.: Page 15, Lines 26-27).

Claim 2 is rejected wherein "associating events comprises combining events that are related by content, time, or source" (Knudson et al.: Col 6, Lines 21-34).

Claim 3 is rejected wherein the "wrapper relates each package's associated events, such that the electronic programming guide simultaneously lists each package's wrapper and each package's associated events" (Swix et al.: Page 19, Lines 3-21).

Claim 4 is rejected wherein the method further comprises "highlighting each wrapper as the navigator scrolls from one package to another package" as previously discussed. Claim 1 claim does not require for the simultaneous display of multiple wrappers on the display

screen as opposed to only requiring the particular display of 'a wrapper', nor does the open language of the claim preclude any additional steps. The navigator may initially highlight a 'package' associated with a 'season ticket' for one sporting team and subsequently responsive to the user designation will highlight a 'season ticket' for one sporting team. Swix et al. teaches that a highlighted entry is always placed in the first row (Page 15, Lines 18-24). Therefore, the method "highlights each wrapper" (initially that associated with the first package and that associated with the second package) "as the navigator scrolls from one package to another package" in order to maintain that the first row comprises the newly designated wrapper of the second package.

Claim 7 is rejected wherein the "electronic programming guide further comprises an expanded mode in which time and channel information concerning the events are displayed" (Swix et al.: Figure 4)(Knudson et al.: Figures 8-9).

Claim 8 is rejected as previously discussed. Knudson et al. discloses a "method for offering users additional programming information concerning events of interest" through its particular provision of an 'electronic programming guide'. The method comprises "receiving an electronic programming guide having events" such as those corresponding to a 'season ticket' or other related events "associated with packages" (Figures 3-5; Col 1, Lines 28-41; Col 4, Line 66 – Col 5, Line 51; Col 6, Lines 21-34). The "electronic programming guide has a programming grid . . . simultaneously listing a start time and a stop time of each event associated with each package" (Figure 2; Col 3, Lines 9-16).

With respect to the particular composition of the 'packages', the reference teaches that the packages may comprise a 'season ticket' package that includes all sports programs of a

specific league or team for the duration of the sports season (Col 6, Lines 22-34). In creating such a package, the reference is silent with respect to the scheduling of sporting of events that are well known in the art to “span multiple channels over non-contiguous time slots”. For example, the “NFL.COM: 1997 regular season to get August start” publication provides evidence of fact that a ‘season ticket’ for a specific sports team (ex. New England Patriots) would comprise “events spanning multiple channels over non-contiguous time slots” (ex. NBC – Sunday September 7th at 1 PM, TNT – Sunday September 14 at 8 PM, ABC – Monday October 27 at 9 PM, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to “associate events spanning multiple channels over non-contiguous time slots” such events corresponding to a particular NFL sporting team for the purpose of creating packages of televised programming for one of the most popular sporting leagues in America.

The Knudson et al. reference is further silent with respect to the particular usage of different ‘modes’ as claimed. In an analogous art pertaining to the field of interactive programming, the Swix et al. reference discloses “receiving an electronic programming guide . . . having a programming grid simultaneously listing a wrapper associated with [each specialty topic] and each [specialty topic’s] associated events, the wrapper surrounding all the associated events for each [specialty topic], the programming grid also simultaneously listing a start time and a stop time of each event associated with each [specialty topic]” (Figure 5). The method comprises “receiving an input to a navigator” or user interface (Page 9, Lines 1-4) “that selects a first mode in which the navigator scrolls from one wrapper to another wrapper within the electronic programming guide” (Page 8, Lines 4-7). The ‘first

mode' corresponds to the particular display of both matching and non-matching entries.

Therefore, responsive to the user choosing a different 'specialty topic', the "navigator scrolls from one wrapper", associated with the first 'specialty topic', to "another wrapper"

corresponding to the newly selected 'specialty topic' (Page 15, Lines 18-24). The method

further comprises "receiving another input to the navigator that selects a second mode in

which the navigator scrolls from one event to another event within the same wrapper" (Page

8, Lines 4-7; Page 15, Line 27 – Page 16, Line 6). In association with the operation of the

two modes, the system "recognizes . . . non-contiguous events; and in response to the non-

contiguous events, prompts to switch from the first mode to the second mode wherein the

programming grid is collapsed, thus displaying channels and times associated with the events

in a 'specialty topic' (Page 9, Lines 1-4; Page 15, Lines 18-27; Page 16, Lines 27-30). Swix

et al. suggests that the particular 'specialty topic' relates to a logical grouping of a particular

type of programming (Page 2, Lines 14-17). A 'package' as set forth in Knudson et al.

defines logical groupings of related programs. Accordingly, it would have been obvious to

one having ordinary skill in the art at the time the invention was made to modify the

Knudson et al. 'electronic programming guide' to further "hav[e] a programming grid

simultaneously listing a wrapper associated with each package and each package's associated

events, the wrapper surrounding all the associated events for each package [and] the

programming grid also simultaneously listing a start time and a stop time of each event

associated with each package", to "receive an input to a navigator that selects a first mode in

which the navigator scrolls from one wrapper to another wrapper within the electronic

programming guide", to "receive another input to the navigator that selects a second mode in

which the navigator scroll from one event to another event within the same wrapper”, to “recognize[e] the non-contiguous events; and in response to the non-contiguous events, prompting to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying channels and times associated with the events in a package” for the purpose of informing the viewer as to the availability of programs of a particular type (Swix et al.: Page 3, Lines 1-3) in a manner in which the viewer can choose to be provided with more focused information (Swix et al.: Page 15, Lines 26-27).

Claim 9 is rejected wherein “receiving the electronic programming guide comprises receiving information selected from the group consisting of: pricing, content and scheduling information” (Knudson et al.: Figures 3-5; Col 3, Lines 9-16).

Regarding claim 10, Figure 1 of Knudson et al. illustrates a “system” [20] for “processing an electronic program guide”. The system comprises a “processor executing a software module stored in memory” [34] (Col 3, Lines 36-43). The “processor” [34] “receives events . . . associated with packages” (Col 3, Lines 45-53; Col 3, Line 63 – Col 4, Line 7). The “processor” [34] “stores the electronic programming guide in the memory” (Col 3, Lines 22-30) and the “electronic programming guide ha[s] a programming grid . . . simultaneously listing a start time and a stop time of each event associated with each package” (Figure 2; Col 3, Lines 9-16).

With respect to the particular composition of the ‘packages’, the reference teaches that the packages may comprise a ‘season ticket’ package that includes all sports programs of a specific league or team for the duration of the sports season (Col 6, Lines 22-34). In creating such a package, the reference is silent with respect to the scheduling of sporting of events

that are well known in the art to “span multiple channels over non-contiguous time slots”.

For example, the “NFL.COM: 1997 regular season to get August start” publication provides evidence of fact that a ‘season ticket’ for a specific sports team (ex. New England Patriots) would comprise “events spanning multiple channels over non-contiguous time slots” (ex. NBC – Sunday September 7th at 1 PM, TNT – Sunday September 14 at 8 PM, ABC – Monday October 27 at 9 PM, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to “receive events spanning multiple channels over non-contiguous time slots associated with packages” such as events corresponding to a particular NFL sporting team for the purpose of creating and distributing packages of televised programming for one of the most popular sporting leagues in America.

The Knudson et al. reference is further silent with respect to the particular usage of different ‘modes’ as claimed. In an analogous art pertaining to the field of interactive programming, the Swix et al. reference discloses an “electronic programming guide . . . that simultaneously lists a wrapper associated with [each specialty topic] and each [specialty topic’s] associated events, the wrapper surrounding all the associated events for each [specialty topic], the programming grid also simultaneously listing a start time and a stop time of each event associated with each [specialty topic]” (Figure 5). The system “produces a first mode of the electronic programming guide in which inputs to a navigator” or user interface to “scroll from one wrapper to another wrapper” (Page 8, Lines 4-7). The ‘first mode’ corresponds to the particular display of both matching and non-matching entries. Therefore, responsive to the user choosing a different ‘specialty topic’, the user “scrolls from one wrapper” associated with the first ‘specialty topic’ to “another wrapper” corresponding

to the newly selected 'specialty topic' (Page 15, Lines 18-24). The "processor [further] produces a second mode of the electronic programming guide in which inputs to the navigator" scroll from one event to another event within the same wrapper" (Page 15, Line 27 – Page 16, Line 6). In association with the operation of the two modes, the system "recognizes . . . non-contiguous events; and in response to the non-contiguous events . . . prompt[s] to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying channels and times associated with the events in a 'specialty topic' (Page 9, Lines 1-4; Page 15, Lines 18-27; Page 16, Lines 27-30). Swix et al. suggests that the particular 'specialty topic' relates to a logical grouping of a particular type of programming (Page 2, Lines 14-17). A 'package' as set forth in Knudson et al. defines logical groupings of related programs. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Knudson et al. "processor" [34] to "stor[e] the electronic programming guide in the memory, the electronic programming guide having a programming grid that simultaneously lists a wrapper associated with each package and each package's associated events, the wrapper surrounding all the associated events for each package [and] the programming grid also simultaneously listing a start time and a stop time of each event associated with each package", to "produce a first mode of the electronic programming guide in which inputs to a navigator scroll from one wrapper to another wrapper, and . . . a second mode of the electronic programming guide which inputs to the navigator scroll from one event to another event within the same wrapper", to "recognize[e] the non-contiguous events; and in response to the non-contiguous events, . . . prompting to switch from the first mode to the second mode wherein the

programming grid is collapsed, thus displaying channels and times associated with the events in a package” for the purpose of informing the viewer as to the availability of programs of a particular type (Swix et al.: Page 3, Lines 1-3) in a manner in which the viewer can choose to be provided with more focused information (Swix et al.: Page 15, Lines 26-27).

Claim 11 rejected wherein the “inputs are received from a remote control” (Swix et al: Page 8, Lines 25-28).

Claim 14 is rejected wherein “when a package comprises non-contiguous events, the processor implements commands to the navigator that scrolls to a next time and a next channel of an associated event within a package” (Swix et al.: Page 15, Line 28 – Page 16, Line 6).

Claim 15 is rejected as previously discussed. Knudson et al. discloses a “method for organizing and presenting program information within an electronic programming guide”. The method comprises “receiving events . . . associated with packages” and “receiving an electronic programming guide having events” such as those corresponding to a ‘season ticket’ or other related events “associated with packages” (Figures 3-5; Col 1, Lines 28-41; Col 4, Line 66 – Col 5, Line 51; Col 6, Lines 21-34). The “electronic programming guide has a programming grid . . . simultaneously listing a start time and a stop time of each event associated with each package” (Figure 2; Col 3, Lines 9-16).

With respect to the particular composition of the ‘packages’, the reference teaches that the packages may comprise a ‘season ticket’ package that includes all sports programs of a specific league or team for the duration of the sports season (Col 6, Lines 22-34). In creating such a package, the reference is silent with respect to the scheduling of sporting of events

that are well known in the art to “span multiple channels over non-contiguous time slots”.

For example, the “NFL.COM: 1997 regular season to get August start” publication provides evidence of fact that a ‘season ticket’ for a specific sports team (ex. New England Patriots) would comprise “events spanning multiple channels over non-contiguous time slots” (ex. NBC – Sunday September 7th at 1 PM, TNT – Sunday September 14 at 8 PM, ABC – Monday October 27 at 9 PM, etc.). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to “receive events spanning multiple channels over non-contiguous time slots” such events corresponding to a particular NFL sporting team for the purpose of creating and providing packages of televised programming for one of the most popular sporting leagues in America.

The Knudson et al. reference is further silent with respect to the particular usage of different ‘modes’ as claimed. In an analogous art pertaining to the field of interactive programming, the Swix et al. reference discloses “receiving an electronic programming guide . . . having a programming grid simultaneously listing a wrapper associated with [each specialty topic] and each [specialty topic’s] associated events, the wrapper surrounding all the associated events for each [specialty topic], the programming grid also simultaneously listing a start time and a stop time of each event associated with each [specialty topic]” (Figure 5). The method comprises “receiving an input to a navigator” or user interface (Page 9, Lines 1-4) “that causes a navigator to scroll from one wrapper to another wrapper within the electronic programming guide” (Page 8, Lines 4-7). A first mode corresponds to the particular display of both matching and non-matching entries. Therefore, responsive to the user choosing a different ‘specialty topic’, the “navigator scrolls from one wrapper”,

associated with the first 'specialty topic', to "another wrapper" corresponding to the newly selected 'specialty topic' (Page 15, Lines 18-24). The method further comprises a second mode for "receiving another input that causes the navigator to scroll from one event to another event within the same wrapper" (Page 8, Lines 4-7; Page 15, Line 27 – Page 16, Line 6). In association with the operation of the two modes, the system "recognizes . . . non-contiguous events; and in response to the non-contiguous events, prompts to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying channels and times associated with the events in a 'specialty topic' (Page 9, Lines 1-4; Page 15, Lines 18-27; Page 16, Lines 27-30). Swix et al. suggests that the particular 'specialty topic' relates to a logical grouping of a particular type of programming (Page 2, Lines 14-17). A 'package' as set forth in Knudson et al. defines logical groupings of related programs. Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the Knudson et al. 'electronic programming guide' to further "hav[e] a programming grid simultaneously listing a wrapper associated with each package and each package's associated events, the wrapper surrounding all the associated events for each package [and] the programming grid also simultaneously listing a start time and a stop time of each event associated with each package", to "receive an input that causes a navigator to scroll from one wrapper to another wrapper within the electronic programming guide", to "receive another input that causes the navigator to scroll from one event to another event within the same wrapper", to "recognize[e] the non-contiguous events; and in response to the non-contiguous events, prompting to switch from the first mode to the second mode wherein the programming grid is collapsed, thus displaying channels and times associated

with the events in a package” for the purpose of informing the viewer as to the availability of programs of a particular type (Swix et al.: Page 3, Lines 1-3) in a manner in which the viewer can choose to be provided with more focused information (Swix et al.: Page 15, Lines 26-27).

Claim 16 wherein the “wrapper relates each package’s associated events, such that the electronic programming guide simultaneously lists each package’s wrapper and each package’s associated events” (Swix et al.: Page 19, Lines 3-21).

Claim 17 is rejected wherein “when a package comprises non-contiguous events, then causing the navigator to scroll to a next time and a next channel of an associated event within a package” (Swix et al.: Page 15, Line 28 – Page 16, Line 6).

Claim 18 is rejected wherein the method further comprises “causing each package to be highlighted as the navigator scrolls between packages” as previously discussed. The navigator may initially highlight a ‘package’ associated with a ‘season ticket’ for one sporting team and subsequently responsive to the user designation will highlight a ‘season ticket’ for one sporting team. Swix et al. teaches that a highlighted entry is always placed in the first row (Page 15, Lines 18-24). Therefore, the method “causes each package” (initially that associated with the first package and that associated with the second package) “to be highlighted as the navigator scrolls between packages” in order to maintain that the first row comprises the newly designated wrapper of the second package.

Claim 19 is rejected wherein the method further comprises “expanding a package, causing an event within the package to be highlighted, and communicating that the event is being purchased” (Knudson et al.: Figures 6-9; Col 6, Line 36 – Col 7, Line 59).

Claim 20 is rejected wherein the method further comprises “receiving the input from a remote control” (Swix et al: Page 8, Lines 25-28).

10. Claims 5, 6, 12, and 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Knudson et al. (US Pat No. 6,016,141), in view of the ‘NFL.COM: 1997 regular season to get August start’, in view of Swix (WO 00/14954 A2), and in further view of Ellis et al. (US Pat No. 6,604,240)

In consideration of claim 5, the references are silent with respect to further “expanding the electronic program guide to include channel information concerning at least one event associated with a package”. In an analogous art pertaining to interactive video distribution, the Ellis et al. reference discloses “expanding [an] electronic program guide to include channel information concerning at least one event associated with a package” (Col 5, Line 58 – Col 6, Line 5). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined references to further “expand [an] electronic program guide to include channel information concerning at least one event associated with a package” in order to provide an interactive television program guide that enhances the availability of a service provider to supply users with information on the programming available (Ellis et al.: Col 1, Lines 43-46).

Regarding claim 6, the combination of references is silent with respect to the “electronic programming guide further comprising a collapsed mode in which only time information concerning the package are displayed”. In an analogous art pertaining to interactive video distribution systems, the Ellis et al. reference discloses an “electronic programming guide further comprising a collapsed mode in which only time information concerning the package

are displayed” (Figure 11). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the ‘electronic programming guide’ of the combined references to “further comprising a collapsed mode in which only time information concerning the package are displayed” for the purpose of to provide an interactive television program guide that enhances the availability of a service provider to supply users with information on the programming available (Ellis et al.: Col 1, Lines 43-46).

Regarding claim 12, the combination of references is silent with respect to the “processor being adapted to receive a command to cause a display to show package information in a collapsed mode in which only time information concerning the package are displayed”. In an analogous art pertaining to interactive video distribution systems, the Ellis et al. reference discloses a “processor being adapted to receive a command to cause a display to show package information in a collapsed mode in which only time information concerning the package are displayed” (Figure 11). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the ‘electronic programming guide’ of the combined references such that the “processor is adapted to receive a command to cause a display to show package information in a collapsed mode in which only time information concerning the package are displayed” for the purpose of to provide an interactive television program guide that enhances the availability of a service provider to supply users with information on the programming available (Ellis et al.: Col 1, Lines 43-46).

In consideration of claim 13, the references are silent with respect to a “zoom mode” as claimed. In an analogous art pertaining to interactive video distribution, the Ellis et al. reference discloses a “zoom mode in which additional information is accessed . . . describing an event within a package” (Col 5, Line 58 – Col 6, Line 5). Accordingly, it would have been obvious to one having ordinary skill in the art at the time the invention was made to modify the combined references to further comprise a “zoom mode in which additional information is accessed . . . describing an event within a package” in order to provide an interactive television program guide that enhances the availability of a service provider to supply users with information on the programming available (Ellis et al.: Col 1, Lines 43-46).

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Scott Beliveau whose telephone number is 571-272-7343. The examiner can normally be reached on Monday-Friday from 8:30 a.m. - 6:00 p.m..

If attempts to reach the examiner by telephone are unsuccessful, the examiner’s supervisor, John W. Miller can be reached on 571-272-7353. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

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SEB

November 9, 2006

Scott Beliveau
Primary Examiner
Art Unit 2623